

**Concerned Property Owners in Bonita Creek (Payson), Arizona**

389 W. Burnt Point Trl., Payson, AZ 85541, 928-978-2163

August 6, 2010

To: Gila County Board of Supervisors

Regarding: Transfer of Franchise License from Bonita Creek Land and Homeowners Association TO Bonita Creek Property and Preservation Association

Dear Supervisors:

There is currently on file with your department an application for transfer of Water Utility Franchise from Bonita Creek Land and Homeowners Association to Bonita Creek Property and Preservation Association. This letter, and the documents that accompany it, are a formal request for you to deny this transfer.


Mr. Glaunsinger decided to change the name of our homeowners association and did so without membership approval as clearly stated was necessary in our by-laws. The membership in the Bonita Creek Land & Homeowners Association was illegally taken, along with their bank accounts, and then efforts were taken by Mr. Glaunsinger to cover up this little mistake by falsifying documents and lying.

I have included documents with this letter that show that a vote to change the name of the association was never on the published agenda, a signed statement by a member at that meeting (who is also a lawyer) stating that a vote was never taken, and copies of all the statements filed with the Arizona Corporation Commission by various members of the community in protest of this transfer with that agency.

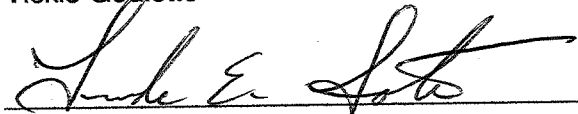
We have a lot of internal turmoil in our community right now that we hope to get straightened out by voting in a new board at our annual meeting on September 4, 2010. It is the goal of much of the community for the Bonita Creek Land and Homeowners Association to maintain ownership of the water company thereby making any license transfers unnecessary. We will be proposing to the members that the By-Laws of that corporation be changed to reflect that their only purpose is to maintain the water system. The Bonita Creek Property and Preservation Association would continue to do all the other activities typical for a community association.

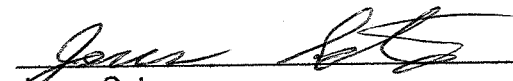
We respectfully request that you deny the request for transfer at this time, or delay your hearing, until our community members have the chance to straighten this situation out in-house.

Thank you,

  
Vickie Goulette

  
John Goulette

  
Linda Soto

  
Jesus Soto

# Concerned Property Owners in Bonita Creek (Payson), Arizona

389 W. Burnt Point Trl., Payson, AZ 85541, 928-978-2163

Page 2

August 6, 2010

To: Gila County Board of Supervisors

Regarding: Transfer of Franchise License from Bonita Creek Land and Homeowners Association TO Bonita Creek Property and Preservation Association

Bonita Creek is primarily a week-end cabin type of community having only 10 homes occupied full-time, with 7 of those on the water system.

In addition to the property owners who signed the letter, the undersigned property owners are also opposed to the transfer of the franchise license.

Print Name & Lot #

Signature

GEORGE GRAHAM #55

Jeanell Graham #55

MIKE MASON

MIKE ADDINGTON #3 & 4

JAMES D. SUMPTER

JAMES E. DUMPTON  
THE KNAPP #5

CHARLES FINE #60

PENNY H. FINE #60

BILL ARTWOLTL 2513  
2614

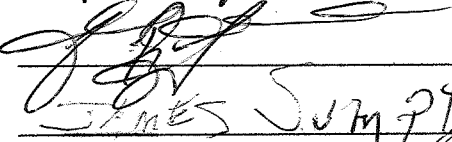
HARRY WONG Lot 59

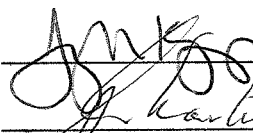


Jeanell Graham



MIKE ADDINGTON

  
JAMES SUMPTER

  
JAMES E. DUTTON

Penny Fine

Wm Artwoltl

Harry Wong

Copy of 2005  
agenda showing no  
schedule to  
vote for name  
change.

This is the agenda that was mailed  
to all the members.

2005

Dear Bonita Creek Property Owners,

By means of this letter we would like to invite you join us for a **dedication of the refurbished Dude Fire Memorial on Saturday, Sept. 3<sup>rd</sup> at 3:00 PM** at the N.W. corner of Myrtle Point and the entry road. Jim and Becky Sumpter have kindly contributed the memorial property in recognition of the supreme sacrifice made by the Dude firefighters. At the conclusion of the ceremony, we invite you to attend the **Bonita Creek Community Association meeting at the Glaunsinger residence, 480 Big Al's run**. Following the meeting there will be a community barbecue and a chance to share news and meet some of our new neighbors. Please bring a side dish of your choosing.

The \$65.00 annual dues can be sent to Bonita Creek Property & Preservation Association, HC 7 Box 271 R, Payson, Az 85541 by September 3, 2005. Our community association is dedicated to addressing those issues that are most important to the residents and property owners. As many of you are aware, much progress has been made to improve our community in the last several years as well as helping neighbors with building and other projects. The Association is committed to continuing these efforts and we encourage you to join the Association to help us achieve these goals. This past year, in spite of the wet wintry weather, we have been able to continue or complete the following:

- Continuation of cooperative efforts with the Forest Service for fire preventative maintenance as well as the Association's use of the Pearley pit for wood debris drop-off.
- Installation of Bonita Creek Entry sign.
- 911 rural road name change and erection of new road signs.
- Construction of a retaining wall for the Dude Fire Memorial and a planned dedication on Labor Day weekend.
- An extensive effort to clear and maintain the Bonita Creek trail was completed this July. Because of all of the winter rains, the trail required an increased amount of clearing and repair of washed out areas.
- Clearing of brush around the water tank and repair of the fence.
- Significant progress on maintenance items for the Water Company.

This coming year the Board has recommended engaging Tree Pro to collect and chip wood and weed debris that has been stacked by Association members, if there is sufficient community interest. The wet winter and spring has provided the moisture for trees, bushes and grasses to put on a significant amount of growth. Although we welcome the continued rebirth of the forest, the Forest Service has reminded us that it is still extremely important to create fire safe zones on all properties including the removal or trimming of Love Grass, and thinning oaks, Manzanita and other brush. If you would like to take advantage of the above opportunity, please plan to attend the meeting to help choose the best dates to arrange for this service.

Our future efforts for 2005-2006 include completion of the entry road fire break initiative, procuring a water trailer as a back-up emergency contingent, maintenance of the subdivision roads, continued Bonita creek trail maintenance and several improvements in the Bonita Water Company infrastructure. We encourage your participation in these efforts as well as any suggestions you may have to initiate other community projects.

Below is the agenda for the annual meeting. If you would like to place any additions to this agenda please e-mail your suggestions to [lglaunsinger@yahoo.com](mailto:lglaunsinger@yahoo.com) before the meeting.

Sincerely,  
**Bill Glaunsinger BCPPA President**

#### ANNUAL MEETING AGENDA

- I. Call to order- Bill Glaunsinger
  - II. Director's reports
    - A. Communications Director- Dave Kelley
    - B. Environmental Director- Marcia Viezens
    - C. Road Director- Fred Washburn
    - D. Water Director- Harry Viezens
  - III. Treasurer's report - Linda Soto.
  - IV. Old business- Bill Glaunsinger
    - a. Entrance Sign
    - b. Bonita Creek Memorial
    - c. Trail maintenance
    - d. Tree removal on entry road
    - e. New street signs
    - f. Continued efforts to acquire water trailer for fire protection
  - V. New business
    - a. Hiring Tree Pro to remove stacked, trimmed brush from Association members lots
    - b. Continuation of 431 road clearing effort
    - c. Maintenance and roof for entrance sign.
    - d. Recycling
  - VI. Adjournment
-

Copy of letter from  
Property Owner stating  
there was no vote.  
to change the name.

**Charles L. Fine**  
**Attorney at Law**

9041 North 33<sup>rd</sup> Way  
Phoenix, AZ 85028  
Direct - 602/996-6697  
Fax - 602/953-0046  
cpfine@cox.net

June 18, 2010

John Goulette  
389 Burnt Point Trail  
HC 7 Box 276-K  
Payson, AZ 85541

Re: Annual association meeting in 2005

Dear John:

This letter will confirm our conversation regarding the lack of any vote to change the name of the association to Bonita Creek Property and Preservation Association (hereinafter "BCPPA"). My wife, Penny, and I attended the September 3, 2005 annual meeting of the so-called BCPPA. No vote to change the name to BCPPA was scheduled or taken at the meeting.

We purchased our property in June 2004. We were asked to join the association by Lorna and Bill Glaunsinger and a few others during 2004 and 2005. One of the documents given us was a letter from Bill Glaunsinger to the Bonita Creek Property Owners, which contained (on the backside of the letter) the September 4, 2004 Annual Meeting Agenda of the "Bonita Creek Property and Preservation Association." A copy of the letter and Agenda are included herein.

In Bill Glaunsinger's letter, he set forth that: "The Board has voted to change the Association's name to Bonita Creek Property and Preservation Association" and the dues were to be sent to "Bonita Creek Property & Preservation Association, . . ."

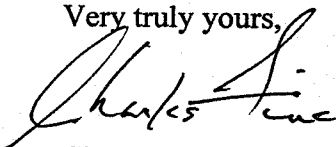
As a result of the information from the Glaunsingers and others, as well as the enclosed letter/Agenda, it was our understanding and belief that the Association we were asked to join was the Bonita Creek Property and Preservation Association, which we did in 2005, paying by check in the amount of \$65.00 to Bonita Creek Property & Preservation Association. In August 2005, we received a letter from "Bill Glaunsinger BCPPA President." It called for dues to be sent to the "Bonita Creek Property & Preservation Association." Under the body of the letter, the September 2005 Annual Meeting Agenda was set forth. A copy of the letter and Agenda are enclosed.

Based upon the statements made to us, the letters and agendas we received, the association we heard about, was aware of, and joined was the Bonita Creek Property and Preservation Association. Obviously, we believed and for years continued to believe the name change to BCPPA had been formally or officially accomplished. If the issue of a name change had been on the Agenda for the 2005 Annual Meeting and if there had been a vote to change the name at the meeting, I would have clearly remembered it and would have challenged it on the bases that (1) it was not on the Agenda, (2) it had improperly been instituted for over one year and (3) it violated the Constitution and ByLaws, a copy of which I had received in August 2005. Article VII of the ByLaws require changes in the Constitution and ByLaws to be by vote of the membership and prior notice thereof has to be given in order for members to "send a written vote to the Secretary prior to the regular or special meeting."

We were unaware that the association was not formally or officially voted upon, changed to or recorded as the BCPPA until the summer of 2009 when the issue was raised regarding the separation of the water company from the BCPPA. The enclosed documents establish that the name change was not presented to the membership in either 2004 or 2005. Even a cursory review of the agendas proves this point. Moreover, if an attempt to have it voted on at the annual meeting without the prior notice to members (so they could submit a written vote), it would have been void as being violative of the requirements of the Constitution & ByLaws.

I trust this confirms our discussions and provides you with the pertinent information. If there are any questions or if there is anything further, please don't hesitate to contact me.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Charles Fine".

Charles Fine

Enc: 2004 letter/agenda  
2005 letter/agenda

Letters/Emails  
sent to the  
AZ Corporation  
Commission in  
opposition to the  
transfer.



**COMMISSIONERS**  
KRISTIN K. BAYNE-Chairman  
GARY PIERCE  
PAUL NEWMAN  
SANDRA D. KENNEDY  
BOB STUMP

**ORIGINAL**



0000113202

**ARIZONA CORPORATION COMMISSION**

**RECEIVED**

2010 JUL 23 P 2:46

July 23, 2010

ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

**DOCKETED**

JUL 28 2010

DOCKETED BY

**CERTIFIED MAIL**

Mr. Doyle Warner  
Bonita Creek Land and Homeowners Association  
251 North Big Als Run  
Payson, Arizona 85541

RE: APPLICATION FOR APPROVAL BY BONITA CREEK LAND AND  
HOMESOWNERS ASSOCIATION FOR THE TRANSFER OF ASSETS AND  
CERTIFICATE OF CONVENIENCE AND NECESSITY TO BONITA CREEK  
PROPERTY AND PRESERVATION ASSOCIATION  
DOCKET NO: W-02195B-10-0146

**LETTER OF INSUFFICIENCY**

Dear Sir:

Staff is currently reviewing your application and requests the following information for further review:

- Please provide an explanation of why the current owner is transferring the Water Company. Please provide details regarding the current state of the Company and any information that would help Staff get a clear picture of what is driving the sale at this time.
- Please provide background information regarding the Company and its ownership, management and operations. It is imperative that Staff understands the organizational structure and ownership when reviewing a transfer. Staff has received comments regarding this application, which can be found within the docket. Staff needs the pertinent information to address concerns that may rise from the comments presented thus far.
- Please explain why the company is being transferred for zero consideration, when there is an assumption by Staff that, the Company as considerable value.
- Please explain the relationship between the Doyle Warner and William Glaumsinger. Karl Kohlhoff is listed as the certified operator as well as a transferee, please inform Staff who will assume this responsibility.

Mr. Doyle Warner  
July 23, 2010  
Page 2

- Please provide information regarding the amount of utility experience of Mr. Glausinger. Feel free to provide any information regarding the experience of Mr. Glausinger, that will contribute to the decision making process of the Corporation Commission.

If you have any questions concerning this matter, please do not hesitate to contact me  
Kiana Sears at 602-542-0754

Gratefully,



Kiana Maria Sears  
Executive Consultant I

KMS:tdp

cc: Docket Control  
Del Smith  
Lyn Farmer  
Brian Bozzo

W-02195B-10-0146



0000111586

ORIGINAL

ARIZONA CORPORATION COMMIL

UTILITY COMPLAINT FORM

47

Investigator: Guadalupe Ortiz 2010 Phone: 3 P 4: 52

Fax:

Priority: Respond Within Five Days

ARIZONA CORPORATION  
UTILITY COMPLAINT FORM

Opinion No. 2010 86897

Date: 5/12/2010

Complaint Description: 08A Rate Case Items - Opposed  
N/A Not Applicable

Complaint By: First: John Last: Goulette

Account Name: John Goulette

Home:

Street:

Work:

City: Payson

CBR:

State: AZ Zip:

IC:

Utility Company: Bonita Creek Land and Home Owners %Harry Vlezens

Division: Water

Contact Name:

Contact Phone:

Nature of Complaint:

\*\*\*\*\* ALSO REFER TO ACC COMPLAINT NO. 2009 -  
83495 \*\*\*\*\*

RE: Docket No. W-02195B-10-0146

Customer is calling to inform the Commission that he is opposed to the above referenced docket. Customer will be forwarding his comments related to this matter to me via email.

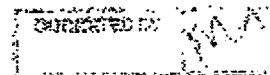
Arizona Corporation Commission

DOCKETED

5/13/2010 - Email Received - Opinion Opposed:

From: John Goulette [mailto: ]  
Sent: Thursday, May 13, 2010 8:17 AM  
To: Guadalupe Ortiz  
Subject: Opinion on transfer of assets Docket # W-02195B-10-0146

MAY 13 2010



DATE: May 13, 2010

Opinion on the transfer of assets and its Certificate of Convenience and Necessity (CCN) of the Bonita Creek Land and Homeowners water company PWS # 04-024 by the Bonita Creek Land and Homeowners Association ("BCLHA") to Bonita Creek Property and Preservation Association ("BCPPA").

BY:  
John Goulette

Payson, AZ

## ARIZONA CORPORATION COMMISSION

### UTILITY COMPLAINT FORM

---

I am opposed to the sale and transfer asked for in Docket # W-02195B-10-0146.

A petition was sent to Mr Brad Morton of the ACC (Arizona Corporation Commission) on 12-1-2009 with signatures of property owners requesting that ACC take another look at Docket # U-2195-95-494; Decision # 59548 (Please add Petition and Docket to opinion). In March 1996, the Commission was going to order the Water Company to be separated from the BCLHA with its own board as a separate entity. At the time the Commission decided not to order the separation because of the volunteer effort of the community to keep the water company solvent.

In addition to the signed petition a survey was sent out to email addresses that I had ( 80+) to get a second view for what the community was feeling. There were 47 responses of which 37 (80%) were in favor of separation 8 (17%) were not in favor of separation 1 unsure 1 other.

In the petition it was pointed out that the membership had not voted for a name change and the association was collecting checks with dues payable to BCPPA but, still filing annual corporation reports under BCLHA. I feel that taking money from BCLHA and transferring it to BCPPA is a misappropriation of funds. Mr Morton was going to look into the misappropriation and take care of this matter. In an email to me from Mr William Glaunsinger he states that the four board members voted in 2005 unanimously for the name change. One of the board members he names wasn't even on the board in 2005, according to the Annual Corporation Reports, and the other two say they weren't for the name change and never voted. Even if it were true that the board voted to change the name, it still isn't the membership voting which is required under the Constitution and By-Laws of the association. Mr Morton informed me that the ACC can't do anything about the board, that the membership would have to take care of the matter or it was suggested that I might get advice from a utilities lawyer.

I also have the invitation, which included the agenda, that was sent out to the community to the 2004 Annual Meeting which I have attached (please add to opinion), that showed that the board had changed the name already and to make checks out to BCPPA. The agenda for the meeting shows that no vote was held by the membership to change the name.

This brings me to the NON-PROFIT CORPORATION ARTICLES OF AMENDMENT that was filed JAN 2010 file # 02271665 by Mr Glaunsinger with which I have issues. First, there hasn't been a BCLHA board since 2004 so how can he claim he is the President of BCLHA? Second, HOW can the amendment be duly adopted by act of the members if the membership DID NOT VOTE?

The water company was formed in 1956 and was originally going to be a system for the whole 160 acre community. When Unit II of Bonita Creek was developed in 1976, buyers received the HUD report which I have attached (please add to opinion) that indicates the Arizona Water Commissioner found the water supply inadequate and lots in that unit were sold without a domestic water system. At this time the CCN (Certificates of Convenience and Necessity) should have been amended to reflect the HUD report.

The Water Company installed a fire hydrant and upon testing it was discovered that the use of the hydrant creates a vacuum in the water main resulting in a loss of water for customers and sucking in of contaminants. The hydrant was installed without an ATC (Approval to Construct) and at this time the ADEQ (Arizona Department of Environment Quality) is evaluating the two questions I have asked them. Is the Water Company in compliance? Will the fire hydrant need to be removed? Karen Berry with ADEQ will inform me when they have a decision but for now the hydrant isn't supposed to be used. I believe the use of the hydrant after the discovery was poor management on the part of the board who appears to be more concerned with the fire district agenda than the safety of the water system and its water customers.

In conclusion, I would request that the Commission postpone the vote until the internal problems of the community can be resolved. Our annual meeting is in September and we intend to get a lot of these issues on the agenda for that meeting. The community wants a water company that is responsive to its customers first and a board whose only agenda is the delivery of safe water to its customers. The membership of the community

## ARIZONA CORPORATION COMMISSION

### UTILITY COMPLAINT FORM

---

needs to be able to vote on this issue and I think that a transfer will not be needed once a vote of the membership is taken.

Thank You  
John Goulette

ATTACHED - HUD REPORT  
2004 ANNUAL LETTER  
\*End of Complaint\*

**Utilities' Response:**

N/A  
\*End of Response\*

**Investigator's Comments and Disposition:**

Opinion docketed with the Docket Control Center of the Commission to be made part of the record. CLOSED  
\*End of Comments\*

**Date Completed: 5/13/2010**

**Opinion No. 2010 - 85897**

---

W 021958-10-0146



0000113490

**ORIGINAL ARIZONA CORPORATION COMMISS**  
**UTILITY COMMISSION**

47  
10

**Investigator:** Brad Morton

**Phone:** JUN 23 PM 3:02

**Fax:**

**Priority:** Respond Within Five Days

**AZ CORP COMMISSION**  
**SECRET CONTROL**

**Opinion No. 2010 - 87543**

**Date:** 8/22/2010

**Complaint Description:** 08A Rate Case Items - Opposed  
N/A Not Applicable

**Complaint By:** **First:** John **Last:** Goulette

**Account Name:** John Goulette

**Home:**

**Street:** :

**Work:**

**City:** Payson

**CCR:**

**State:** AZ **Zip:** 85541

**IE:**

**Utility Company:** Bonita Creek Land and Home Owners %Harry Vlazens

**Division:** Water

**Contact Name:**

**Contact Phone:**

**Nature of Complaint:**

Docket No W 021958-10-0146

Arizona Corporation Commission

**DOCKETED**

From: John Goulette

Sent: Tuesday, June 22, 2010 1:21 PM

To: Bradley Morton; Kimberly Rule; Utilities Div - Mailbox

Subject: New Evidence re: Docket # W-021958-10-0146

JUN 28 2010

DOCKETED BY

To Arizona Corporation Commission,

Members of the community have sent me more documents to prove falsification of records, documents, and misappropriation of funds (co-mingling of funds).

Lets start at the beginning, September 2004, Bill (William Gleunsinger) tells the community that the new name of the association will be Bonita Creek Property and Preservation Association (BCPPA) and to make checks payable to the BCPPA. See attachment (2004 annual letter and 9-04 minutes BCPPA). This effectively hi-jacked innocent members of the Bonita Creek Land and Homeowners Association (BCLHOA) into joining BCPPA. As you can see in the letter and agenda there was NOT a vote to change the name by the members. This took the \$25,930.00 that BCLHOA had and gave it to the BCPPA.

I began wondering what was going on when the board hired a board member to run the water system in October 2009. In reviewing the minutes of 02-2009 (attached 2-09 BCPPA Minutes) I discovered that Bill got \$3,000 for (operation monies?) and another \$400 for operator training. Under the heading "water company" it states that a level three license is needed to operate the Bonita Water system. This is not true!!! I am a grade 2 and that is all that is needed. I asked Lita Washburn (treasurer) about the \$3,000 and \$400 (of which I did not receive a penny) who got this money. First she denied all of it until I told her that I had a copy of the minutes, then she told me that no one got any money. I asked to see the books for the BCPPA, BCLHOA, and the BWC (Bonita Water Company). Lita said the books are open for anyone to see, but still I have not been able to see them. The

## ARIZONA CORPORATION COMMISSION

### UTILITY COMPLAINT FORM

BCPPA gets money from dues, the BWC gets money from water customers, where does the BCLHOA get its money if not from co-mingling funds (attached BCLHOA Tax Ck). Maybe the ACC can get a look at the books.

A petition was sent to Brad Morton in October 2009 signed by 47 members of the community to have the ACC look into separating the water company from the association. In part it said "I would like for the commission to reconsider their decision made on March 1998 Docket # U-2195-95-494 Decision # 58548. This decision declined to order the Bonita Creek Land and Homeowner Association to separate the two entities; the association and the water company."

This petition had the ACC look into the BCPPA and in 2010 Bill filed Articles of Amendment with the ACC stating that the membership voted to change the name in September 2005. First there were no members of the BCLHOA to vote for a name change in 2005. I have a letter and documents that shows that in 2005 the association was BCPPA and there wasn't a vote (attached Fine Letter). In Bill's attempt to cover up, he made new documents for the records (attached 9-05 Bill minutes and 9-05 Bill agenda) the new white paper was a dead give away against the aged paper of the other documents. If you check Bill's agenda against what was sent out to Fine you will see that Bill added V.s which stated a vote was taken. Bill not only falsified the ACC document by stating that BCLHOA members voted to change the name, but made a new false records document to reflect the lie in the first document.

Now Bill is trying to take away the water company assets of the BCLHOA from the community who wishes to have the water company as a separate entity. Our annual meeting takes place September 4, 2010 where the election of new officers takes place. Shortly after, it is hoped, by the community, that the new board will grant the wishes of the community members and the BCLHOA members will adopt a new constitution and by-laws recognizing the association as a water utility whose sole purpose is the operation of the water company. The new board for the BCPPA will hopefully return all monies that belong to the BCLHOA.

This is why myself and many of the property owners have sent in so many letters in opposition to the transfer of assets that the BCPPA has filed with you. We do not consider the BCPPA as having a legal right to the assets that belong to the community since it was formed without community consent. We ask, once again, that the ACC refrain from taking any action on this docket until the community has the chance to rectify these problems from within by voting in a new board for the BCPPA in September.

Thank you.

John Goulette  
388 W. Burnt Point Trl.  
Payson, AZ 85541  
Bonita Creek Ranch Lot 1  
928-878-2163

#### Eight attachments

1. Sept 4, 2004 Association meeting minutes
2. Letter to residents from Bill Gleumelinger regard Sept 4 meeting.
3. Agenda for Sept 4, 2004 meeting
4. Minutes from February 20, 2009 Association meeting.
5. Letter from Charles L. Fine to Mr Goulette dated June 18, 2010
6. Letter regardin Sept 3, 2005 dedication of the refurbished Dude Fire Memorial.

**ARIZONA CORPORATION COMMISSION**

**UTILITY COMPLAINT FORM**

---

7. Sept 3, 2005 Association meeting minutes.

8. Check for \$429.16 dated 11/21/06 to Gila County Treasurer Debra Savage. Signed by Liza Washburn.  
\*End of Complaint\*

**Utilities' Response:**

**Investigator's Comments and Disposition:**

Opinion docketed, attachments attached to original Opinion in file.  
\*End of Comments\*

**Date Completed: 6/22/2010**

**Opinion No. 2010 - 87543**

---



W02195B-10-0146



0000111869

**ORIGINAL**

**ARIZONA CORPORATION COMMIS**

**UTILITY COMPLAINT FORM**

41  
9

**Investigator:** Guadalupe Ortiz

**Phone:**

**Fax:**

**Priority:** Respond Within Five Days

**Opinion No. 2010 87031**

**Date:** 5/20/2010

**Complaint Description:** O&A Rate Case Items - Opposed  
N/A Not Applicable

**Complaints By:** **First:** Denrik

**Last:** Spoelman

Arizona Corporation Commission  
**DOCKETED**

**Account Name:** Denrik Spoelman

**Home:** (000) 000-0000 **MAY 21 2010**

**Street:** N/A

**Work:**

**City:** N/A

**CBR:** c

**State:** AZ **Zip:** 00000

**By:** E-Mail

**DOCKETED BY**

**Utility Company:** Bonita Creek Land and Home Owners %Harry Vlazens

**Division:** Water

**Contact Name:**

**Contact Phone:**

**Nature of Complaint:**

Email Received - Opinion Opposed:

From: Valorie Nimmo On Behalf Of Utilities Div - Mailbox  
Sent: Wednesday, May 19, 2010 9:05 AM  
To: Guadalupe Ortiz  
Subject: FW: Bonita Creek Water Company

From: ... [msn.com]  
Sent: Tuesday, May 18, 2010 2:51 PM  
To: Utilities Div - Mailbox  
Subject: Bonita Creek Water Company

**RECEIVED**  
**200 MAY 21 PM 12:31**  
**UTL. CUST. COMMISSION**  
**DOCKET CONTROL**

I believe that the Bonita Creek Water Company should be a separate entity from the Home Owners Association (or what ever they call themselves). The Water Company should be run by people voted into those positions and people who have the appropriate background/experience/qualifications. I also believe that the Home Owners Association is politically motivated without the best interests of the property owners, with there own agendas and those within their circle of friends.

This Homeowners Association can not or will not assists in the necessities of the community such as road improvements and other important needs of the community. Instead they have burdened the property owners with higher taxes due to unnecessary projects and have allowed or assisted in the following disasters:

Heliport  
Antique Fire truck  
Allowing Ham Operator Towers to Ruin the View

Running water utility lines on private property without an easement, authorization, and without compensation  
Incorporation into a small time volunteer fire department from a much larger and effective Payson fire

## ARIZONA CORPORATION COMMISSION

### UTILITY COMPLAINT FORM

---

department costing the community greatly with the only benefit being a slightly less response time

Raising the base (monthly) water bill instead of the cost for using water (per gallon).

This Home Owners Association is changing their name to a Preservation Society is ironic since in the last ten years they have done just the opposite.

I vote to sever the Association from actively participating in the Water Company business.

Just for the record I do have some experience in this area being a Registered Geologist with twenty plus years working on water production wells, surface and wastewater treatment plants, water recharge and recovery projects, and the treatment/remediation of contaminated groundwater for SWDS/AWQS.

Thank-you Derrick Spoelman  
"End of Complaint"

#### Utilities' Response:

#### Investigator's Comments and Disposition:

Opinion docketed with the Docket Control Center of the Arizona Corporation Commission to be made part of the record. CLOSED

"End of Comments"

Date Completed: 5/20/2010

Opinion No. 2010 - 87031

---

W.02195B-10-0146



0000111868

**ORIGINAL** ARIZONA CORPORATION COMMISSION  
UTILITY COMPLAINT FORM

27  
20

Investigator: Guadalupe Ortiz Phone: Fax:

**Priority: Respond Within Five Days**

Opinion No. 2010 87030 Date: 5/20/2010

Complaint Description: OBA Rate Case Items - Opposed  
N/A Not Applicable

Complaint By: First: Jeff Last: Joaquim

Account Name: Jeff Joaquim Home: (000) 000-0000

Street: Work:

City: Bonita Creek CBR:

State: AZ Zip: 00000 Is E-Mail:

Utility Company: Bonita Creek Land and Home Owners %Harry Vlazens

Division: Water

Contact Name: Contact Phone:

Nature of Complaint:

Email Received - Opinion Opposed:

Original Message

From: Valeria Nimmo On Behalf Of Utilities Div - Mailbox

Sent: Wednesday, May 19, 2010 8:06 AM

To: Guadalupe Ortiz

Subject: FW: Docket#W 02195B-10-0146

Arizona Corporation Commission

**DOCKETED**

MAY 21 2010

DOCKETED BY

MVA

RECEIVED  
2010 MAY 21 10 21  
DOCKET CONTROL

Original Message

From:

Sent: Tuesday, May 18, 2010 4:22 PM

To: Utilities Div - Mailbox

Subject: Docket#W 02195B-10-0146

From: Jeff Joaquim

Bonita Creek Az.

I do not want the assets transferred to anyone or any association and I ask that the ecc hold off on taking any action until we can vote on it

Thank You,

Jeff Joaquim

\*End of Complaint\*

Utilities' Response:

Investigator's Comments and Disposition:

W-02195B-10-0146

ORIGINAL

ARIZONA CORPORATION COMMISSION



0000111935

UTILITY COMPLAINT FORM

**Investigator:** Guadalupe Ortiz

**Phone:** (802) 542-2406

**Fax:** (802) 542-2129

**Priority:** Respond Within Five Days

**Opinion No. 2010 87072**

**Date:** 5/24/2010

**Complaint Description:** DBA Rate Case Items - Opposed  
N/A Not Applicable

**Complaint By:** **First:** Chris **Last:** Mielke

**Account Name:** Chris Mielke

**Home:** (000) 000-0000

**Street:** Lot 29 and Lot 31b

**Work:**

**City:** n/a

**CBR:**

**State:** AZ **Zip:** 00000

**is:**

**Utility Company:** Bonita Creek Land and Home Owners %Harry Vlezans

**Division:** Water

**Contact Name:** Fred Washburn

**Contact Phone:** (928) 488-0405

**Nature of Complaint:**

Email Received - Opinion Opposed:

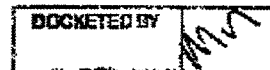
RE: Docket No. W-02195B-10-0146

Arizona Corporation Commission

**DOCKETED**

MAY 25 2010

From: Chris [mailto:AZMilkman@Cox.Net]  
Sent: Monday, May 24, 2010 9:18 AM  
To: Utilities Div - Mailbox  
Subject: ACC Docket # W-02195B-10-0146



To Whom it may concern:

As a property owner of two lots in the Bonita Creek Community, I would like to state that I am opposed to the transfer of assets to the Bonita Creek Homeowners Association.

The entities need to be sole and separate as there seems to be some type of movement or push to gain control of the entire community and I am adamantly opposed to this. The group may have good intentions, however, I am still opposed to the transfer of assets.

Please accept this email as a NO vote for the transfer of assets.

Thank you,

Chris Mielke  
Property Owner  
Lot 29 and Lot 31b  
"End of Complaint"

**Utilities' Response:**

RECEIVED  
2010 MAY 25 P 3 54  
ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

W-02195B-10-0146

ORIGINAL

ARIZONA CORPORATION COMMIS



0000111934

UTILITY COMPLAINT FORM

**Investigator:** Guadalupe Ortiz

**Phone:** (602) 542-2406

**Fax:** (602) 542-2129

**Priority:** Respond Within Five Days

**Opinion No. 2010 87074**

**Date:** 5/24/2010

**Complaint Description:** DBA Rate Case Items - Opposed  
N/A Not Applicable

**Complaint By:** **First:** Ted & Diann **Last:** Mullen

**Account Name:** Ted & Diann Mullen

**Home:** (000) 000-0000

**Street:** 5518 E. Seven Palms Dr.

**Work:**

**City:** Cave Creek

**CBR:**

**State:** AZ **Zip:** 85331

**IE:**

**Utility Company:** Bonita Creek Land and Home Owners %Harry Vlezens

**Division:** Water

**Contact Name:** Fred Washburn

**Contact Phone:** (928) 468-0405

**Nature of Complaint:**

Email Received - Opinion Opposed:

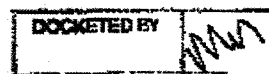
RE: Docket No. W-02195B-10-0146

Arizona Corporation Commission

DOCKETED

MAY 25 2010

From: Ted Mullen [mailto:tmullen9@men.com]  
Sent: Monday, May 24, 2010 9:28 AM  
To: Utilities Div - Mailbox  
Subject: Docket # W-02195B-10-0146



Dear Arizona Corporation Commissioners:

We believe that there should be no transfer of assets of the water company at Bonita Creek. The water company and the association (BCPPA) should be separate entities. We have not been able to vote on this issue as their board has not enabled the homeowners the ability to express our opinion and vote on this important issue.

We are landowners of Lots 11G, 11F, and 10B in Bonita Creek.

Thank you for the privilege of being heard on this important matter.

Sincerely,

Ted & Diann Mullen  
5518 E. Seven Palms Dr.  
Cave Creek, AZ 85331  
\*End of Complaint\*

**Utilities' Response:**

RECEIVED  
2ND MAY 25 P 3 54  
AZ CORP COMMISSION  
DOCKET CONTROL

W-02195B-10-0146

ORIGINAL

ARIZONA CORPORATION COMMISSION



UTILITY COMPLAINT FORM

Investigator: Richard Martinez

Phone: ( )

Fax:

Priority: Respond Within Five Days

Opinion No. 2010 87107

Date: 5/26/2010

Complaint Description: O&A Rate Case Items - Opposed  
N/A Not Applicable

Arizona Corporation Commission

DOCKETED

MAY 27 2010

Complaint By: David & Linda

Last: Kelley

Account Name: David & Linda Kelley

Home: (000) 000-0000

Street:

Work:

City: Payson

Cell:

State: AZ Zip: 85541

Is:

Utility Company: Bonita Creek Land and Home Owners %Harry Vizzone

Division: Water

Contact Name:

Contact Phone:

Nature of Complaint:

(Docket W-02195B-10-0146)

Attention: Corporation Commission.

We are landowners of Lot 12 in Bonita Creek, and we feel there should be no transfer of assets of the Bonita Creek Water Company the Bonita Creek Homeowners Association. We also feel the water company and the HOA (BCPPA) should be separate entities.

We should be allowed to vote on this matter but have not had the opportunity to express our opinion on this matter.

Our 911 address is:

Payson, AZ 85541

This email should be accepted as an opposition to transferring of assets.

Sincerely  
Dave and Linda Kelley

Chandler, AZ 85224-2290  
"End of Complaint"

Utilities' Response:

Investigator's Comments and Disposition:

RECEIVED  
200 MAY 27 10 17  
AZ CORP COMMISSION  
DOCKET CONTROL

W-02195B-10-0146



**ORIGINAL**

**ARIZONA CORPORATION COMMISSION  
UTILITY COMPLAINT FORM**

**Investigator:** Richard Martinez

**Phone:**

**Fax:**

**Priority:** Respond Within Five Days

**Opinion No.** 2010 - 87119

**Date:** 5/27/2010

**Complaint Description:** O&A Rate Case Items - Opposed  
N/A Not Applicable

**Complaint By:** **First:** George **Last:** Graham

**Account Name:** George Graham

**Home:** (000) 000-0000

**Street:**

**Work:**

**City:** Payson

**CBR:**

**State:** AZ **Zip:** 85541

**in:** E-Mail

**Utility Company:** Bonita Creek Land and Home Owners %Harry Vlazens

**Division:** Water

**Contact Name:**

**Contact Phone:**

**Nature of Complaint:**

OPPOSITION TO TRANSFER DOCKET # W-02195B-10-0146

I am opposed to the transfer of the Bonita Creek Water company assets as called for on ACC Docket # W-02195B-10-0146. My opposition stems from the undefined nature of fiscal responsibility and how it will affect non water company users and property owners.

This matter needs to be a public hearing.

George Graham

Mesa, AZ 85202  
Bonita Creek Unit:

Bonita Creek, AZ 1  
"End of Complaint"

**Utilities' Response:**

**Investigator's Comments and Dispositions:**

5/27

Emailed to Phoenix to docket.  
Docket No. W-02195B-10-0146

FILE CLOSED.  
"End of Comments"

Arizona Corporation Commission

**DOCKETED**

MAY 28 2010

DOCKETED BY

*MM*

ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

2010 MAY 28 P 12:02

**RECEIVED**

W-02195B-10-0146



0000112494

ORIGINAL

ARIZONA CORPORATION COMMISSION

UTILITY COMPLAINT FORM

Investigator: Richard Martinez

Phone: [REDACTED]

Fax: [REDACTED]

Priority: Respond Within Five Days

Opinion No. 2010 - 87108

Date: 5/26/2010

Complaint Description: O&A Rate Case Items - Opposed  
N/A Not Applicable

Complaint By: First: Moe & Carrie Last: Bell

Account Name: Moe & Carrie Bell

Home: (000) 000-0000

Street: [REDACTED]

Work:

City: Payson

COR:

State: AZ Zip: [REDACTED]

IC:

Utility Company: Bonita Creek Land and Home Owners %Harry Vizcons

Division: Water

Contact Name: [REDACTED]

Contact Phone: [REDACTED]

Nature of Complaint:

(Docket # W-02195B-10-0146)

To whom it may concern,

Regarding Docket # W-02195B-10-0146, we are opposed to transferring assets to the Bonita Creek Property and Preservation Association. We feel the existing water company should be a separate entity run by the people who are served by the water company, not the Bonita Creek community at large, which includes many people who are not water company customers. Thank you.

Moe and Carrie Bell

Arizona Corporation Commission

DOCKETED

MAY 28 2010

"End of Complaint"

Utilities' Response:

Investigator's Comments and Disposition:

DOCKETED BY

[Signature]

5/28

Emailed to Phoenix to docket.

Docket No. W-02195B-10-0146

FILE CLOSED.

"End of Comments"

RECEIVED  
2010 MAY 28 P 12:02  
AZ CORP COMMISSION  
DOCKET CONTROL



W-02195B-10-0146



ORIGINAL

ARIZONA CORPORATION COMMISSION  
UTILITY COMPLAINT FORM

Investigator: Richard Martinez

Phone: 2010 MAY 28 P 12:01

Ext:

Priority: Respond Within Five Days

AZ CORP COMMISSION  
DOCKET CONTROL

Opinion No. 2010 - 87114

Date: 5/28/2010

Complaint Description: OSA Rate Case Items - Opposed  
N/A Not Applicable

Complaint By: First: Vickie

Last: Goulette

Arizona Corporation Commission  
DOCKETED

Account Name: Vickie Goulette

Home: (602) 600-0000 MAY 28 2010

Street:

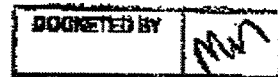
Work:

City: Payson

CBS

State: AZ Zip: 85541

Int E-Mail



Utility Company: Bonita Creek Land and Home Owners %Harry Viezens

Division: Water

Contact Name:

Contact Phone:

**Nature of Complaint:**

(Docket # W-02195B-10-0146)

To Whom It May Concern,

I am writing to register my opposition to Docket # W-02195B-10-0146.

I do NOT want the assets transferred from Bonita Creek Land & Homeowners Association to Bonita Creek Property & Preservation Association.

The members nor the community as a whole never even got the chance to vote on changing the name of the association. In fact, the members have been given little chance to vote on anything the current board has been doing the past few years.

It is the opinion of myself and many of the property owners that the water company and the association should be two separate entities and we would like the opportunity to have that vote prior to the ACC rendering an opinion on the transfer of the assets. If the vote goes as we think it will given the poll results from earlier this year the split will take place and the transfer of assets will not be necessary.

In spite of internally changing the name of the association, the treasurer of the association, Lita Washburn, has continued to falsely file documents for the past 5 years in the name of Bonita Creek Land & Homeowners Association when that association has had no members and no board.

Suffice it to say that there is a great deal of internal turmoil within our community and I respectfully ask the ACC to deny, or at the very least delay, any decision until we have had a chance, as a community, to work our conflicts out and get it cleared up. Our annual meeting is in September and it is our goal to vote out much of the current board and get our community back on track.

Respectfully,  
Vickie Goulette

W-02195B-10-0146

ORIGINAL

ARIZONA CORPORATION COMMISSION  
UTILITY COMPLAINTS DIVISION



0000112722

Investigator: Guadalupe Ortiz

Phone:

200 JUN -4 P 4:05

REC

Priority: Respond Within Five Days

AZ CORP COMMISSION  
DOCKET CONTROL

Opinion No. 2010 87260

Date: 6/4/2010

Complaint Description: OSA Rate Case Items - Opposed  
N/A Not Applicable

Complaint By: First: Mary-Jo Last: Artwohl

Account Name: Mary-Jo Artwohl

Home:

Street:

Work:

City: Payson

CSR:

State: AZ Zip:

IE:

Utility Company: Bonita Creek Land and Home Owners %Harry Vlazens

Division: Water

Contact Name:

Contact Phone:

Nature of Complaint:

EMAIL RECEIVED - OPINION OPPOSED:

Arizona Corporation Commission  
DOCKETED

RE: Docket No. W-02195B-10-0146

JUN - 4 2010

Original Message

From: Mary-Jo Artwohl [mailto:]  
Sent: Thursday, June 03, 2010 9:15 PM  
To: Utilities Div - Mailbox  
Subject: ACC Docket #W-02195B-10-0146

DOCKETED BY [Signature]

I served on the Board of Directors not long after the Duda Fire and I was there when the Homeowners Association was chartered through the Corporation Commission. We had to legally own Bonita Water and this was the quickest method to form a Homeowners Association.

My entire family worked on the water company after the fire to help rebuild it, to help read water meters and to send out the bills and I have always considered it to be a community asset.

I oppose the transfer of assets of the Bonita Water Company. The water company truly should remain with the people who are its customers.

Both my husband and I would be happy to serve on a Board if necessary.

Thank you.

Mary-Jo Artwohl

Payson, Arizona 85541  
"End of Complaint"

W-02195B-10-0146

ORIGINAL

ARIZONA CORPORATION COMMISSION



0000112721

UTILITY COMPLAINT FORM RECEIVED

Investigator: Guadalupe Ortiz

Phone:

2010 JUN -4 P 4:05 PM

Priority: Respond Within Five Days

AZ CORP COMMISSION  
DOCKET CONTROL

Opinion No. 2010 87263

Date: 6/4/2010

Complete Description: OSA Rate Case Items - Opposed  
N/A Not Applicable

Complaint By: First: William Last: Artwohl

Account Name: William Artwohl

Home:

Street:

Work:

City: Payson

CBR:

State: AZ Zip:

Is:

Utility Company: Bonita Creek Land and Home Owners %Harry Vlazens

Division: Water

Contact Name:

Contact Phone: (

Nature of Complaint:

Email Received - Opinion Opposed:

RE: Docket No. W-02195B-10-0146

Arizona Corporation Commission

DOCKETED

JUN - 4 2010

-----Original Message-----

From: Mary-Jo Artwohl [mailto:

Sent: Thursday, June 03, 2010 9:08 PM

To: Utilities Div - Mailbox

Subject: ACC Docket #W-02195B-10-0146

DOCKETED BY

Gentlemen:

We were evacuated during the Dude Fire of 1990 and formed the Bonita Creek Land & Homeowners Association for the main purpose of having a legal way to own Bonita Water. We created a treasury of \$23,000, researched our water rights and were told by Salt River that Bonita Water had a very good claim on Bonita Creek. Our family has been a customer of Bonita Water since 1979, helped build and operate Bonita Water and always at a profit.

We are opposed to the transfer of assets of the Bonita Water Company.

Sincerely,

William Artwohl.

Payson, Arizona 85541

"End of Complaint"

Utilities' Response:

W02195B-10-0146



ORIGINAL

ARIZONA CORPORATION COMMISSION

0000112997

UTILITY COMPLAINT FORM

Investigator: Brad Morton

Phone:

Fax:

Priority: Respond Within Five Days

Opinion No. 2010 - 87422

Date: 6/15/2010

Complaint Description: DBA Rate Case Items - Opposed  
N/A Not Applicable

Arizona Corporation Commission

DOCKETED

JUN 15 2010

Complaint By:

First:

Viola

Last:

Robertson

Account Name:

Viola Robertson

Home:

Street:

Work:

City:

Payson

CBR:

State:

AZ

Zip: 85441

Is:

DOCKETED BY

Utility Company:

Bonita Creek Land and Home Owners %Harry Vlazens

Division:

Water

Contact Name:

Contact Phone:

Nature of Complaint:

From: that

Sent: Friday, June 11, 2010 1:17 PM

To: Utilities Div - Mailbox

Cc: bonitacreekwaterguy@gmail.com

Subject:

In reference to docket No. W-02195B-10-0146 at ACC, I wish to have the water company stay with BCLHOA. I do not want the water company and assets transferred to the BCPPA.

Viola Robertson

"End of Complaint"

Utilities' Response:

Investigator's Comments and Disposition:

Opinion Docketed

"End of Comments"

RECEIVED  
2010 JUN 15 A 11:30  
ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

Date Completed: 6/15/2010

Opinion No. 2010 - 87422

W-02195B-10-DAL6

ORIGINAL

ARIZONA CORPORATION COMMISSION



0000112959

UTILITY COMPLAINT FORM

Investigator: Al Amezcua

Phone:

Fax:

Priority: Respond Within Five Days

Opinion No. 2010 - 87400

Date: 6/14/2010

Complaint Description: OSA Rate Case Items - Opposed  
N/A Not Applicable

Complaint By:

First:

Bill

Last:

Marovich

Account Name:

Bill Marovich

Home: (000) 000-0000

Street:

Work: (000) 000-0000

City:

Payson

Cell:

State:

AZ

Zip: 85541

In:

Utility Company:

Bonita Creek Land and Home Owners %Harry Vlezene

Division:

Water

Contact Name:

Fred Washburn

Contact Phone:

Nature of Complaint:

Docket # W-02195B-10-0146.

From: Billy Marovich (mello)

Sent: Wednesday, June 09, 2010 10:57 PM

To: Utilities Div - Mailbox

Cc:

Subject: Transfer of Assets of the Bonita Creek Water Company

Dear Sir,

This e-mail is concerning ACC Docket # W-02195B-10-0146.

I am opposed to the transfer of assets of the Bonita Creek Water Company. I believe the water company should be a separate entity. I am the owner of Lot 40 in Bonita Creek.

Bill Marovich

Payson, AZ 85541

\*End of Complaint\*

Utility Response:

Investigator's Comments and Disposition:

6/14/10 Comments noted and entered for the record. Docketed.

\*End of Comments\*

Arizona Corporation Commission

DOCKETED

JUN 17 2010

DOCKETED BY

mm

RECEIVED  
2010 JUN 17 P 3:51  
AZ CORP COMMISSION  
DOCKET CONTROL

W 02195B-10-0146

ORIGINAL

ARIZONA CORPORATION COMMISSION



UTILITY COMPLAINT FORM

Investigator: Brad Morion

Phone:

Fax:

Priority: Respond Within Five Days

Opinion No. 2010 - 87481

Date: 6/18/2010

Complaint Description:

08A Rate Case Items - Opposed

N/A Not Applicable

Complaint By:

First:

James D.

Last:

Sumpter

Account Name:

James D. Sumpter

Home: (000) 000-0000

Street:

Work:

City:

Payson

Cell:

State:

AZ

Zip: 85541

Is:

Utility Company:

Bonita Creek Land and Home Owners %Harry Vlazens

Division:

Water

Contact Name:

Contact Phone:

Nature of Complaint:

Docket No. W-02195B-10-0146

From: Jim Sumpter

Sent: Wednesday, June 16, 2010 9:24 AM

To: Utilities Div - Mailbox

Subject: Opposed to transfer of assets of water co. docket# W-2195B-10-0146

RECEIVED  
2010 JUN 18 PM 3:34  
ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

To whom it may concern, I James D. Sumpter, in reference to docket # W-2195B-10-0146, Am opposed to the transfer of assets of the Bonita Creek water co. "End of Complaint"

Utilities' Response:

Investigator's Comments and Disposition:

Opinion Docketed.

"End of Comments"

Date Completed: 6/18/2010

Opinion No. 2010 - 87481

Arizona Corporation Commission

DOCKETED

JUN 18 2010

DOCKETED BY

MW

W 02195B-10-0146

## ARIZONA CORPORATION COMMISSION

### UTILITY COMPLAINT FORM

Investigator: Brad Morton

Phone: ( )

Fax:

Priority: Respond Within Five Days

Opinion No. 2010 - 88208

Date: 7/28/2010

Complaint Description: DBA Rate Case Item - Opposed  
N/A Not Applicable

Complaint By: First: Joe Last: Knapp

Account Name: Joe Knapp

Home:

Street:

Work:

City: Gilbert

CBF:

State: AZ Zip: 85295

IS:

Utility Company: Bonita Creek Land and Home Owners %Harry Vlazens

Division: Water

Contact Name:

Contact Phone:

Nature of Complaint:

From:

Date: Tue, 1 Jun 2010 08:13:00 -0700

CC: bonitacreekwaterguy@gmail.com

X-Brightmail-Tracker: AAAAAA==

To Whom it may concern with regards to ACC Docket # W-02195B-10-0146:

My name is Joe Knapp, I own lot 5, property rural address 123, in Bonita Creek Arizona. I currently oppose the transfer of the water rights of our community at this time. There is a lot of controversy and opposing views in the community at this time. It does not seem prudent to be making any major policy changes until there is more agreement and everyone has the answers to their questions.

My best main contact address is :

Gilbert, AZ 85295

Thank you

JOE KNAPP

Contract Specialist

oring

\*End of Complaint\*

Utilities' Response:

W 021958-10 -0146

ARIZONA CORPORATION COMMISSION

UTILITY COMPLAINT FORM

Investigator: Brad Morton

Phone:

Fax: (602)

Priority: Respond Within Five Days

Opinion No. 2010 - 88207

Date: 7/28/2010

Complaint Description: CBA Rate Case Items - Opposed  
N/A Not Applicable

First:

Last:

Complaint By: Charles & Penny Fine

Account Name: Charles & Penny Fine

Home (EO):

Street:

Work:

City:

Phoenix

CBR:

State:

AZ Zip: 85028

IE:

Utility Company: Bonita Creek Land and Home Owners %Harry Vlazens

Division: Water

Contact Name:

Contact Phone:

Nature of Complaint:

May 28, 2010

Re: Opposition to Transfer of assets from Bonita Creek Land & Homeowners Ass'n/Water Company

Arizona Corporation Commissioners:

Attached please find our statement of support against the pending Docket matter regarding the transfer of assets from the Bonita Creek Land and Homeowners Association (BCLHA) and its Water Company to the Bonita Creek Preservation & Property Association (BCPPA). We submit our position statement in opposition to the transfer.

We are owners of property located within the Bonita Creek community of homes. Our home is located on the west side of Bonita Creek, but is not located on the creek. We are not recipients of water from the Water Company, but are concerned that the transfer of assets to the BCPPA may require us to pay fees and expenses due to the BCPPA Board of Directors' efforts to transact a deal with SRP. If consummated, the deal could require us to pay a share of the fees, costs, and expenses SRP would charge for entering into the agreement, as well as for its maintenance and services provided thereafter. As we would receive no benefit whatever, as we would not be a recipient of any water or water services, etc., a requirement to pay therefor may be construed as a taking of property without due process.

If there is anything further needed, please contact us.

Charles & Penny Fine

Phoenix, AZ 85028

End of Complaint



W-02195B-10-D146

ORIGINAL



0000113284

ARIZONA CORPORATION COMMISS

UTILITY COMPLAINT FORM

**Investigator:** Al Amezcua

**Phone:**

**Fax:**

**Priority:** Respond Within Five Days

**Opinion No.** 2010 - 88195

**Date:** 7/28/2010

**Complaint Description:** O&A Rate Case Items - Opposed  
N/A Not Applicable

**Complaint By:** **First:** Jesus **Last:** Soto

**Account Name:** Jesus Soto

**Home:** (000) 000-0000

**Street:** n/a

**Work:** (000) 000-0000

**City:** n/a

**CBR:**

**State:** AZ **Zip:** 00000

**E-Mail:**

**Utility Company:** Bonita Creek Land and Home Owners %Harry Vlezans

**Division:** Water

**Contact Name:** Fred Washburn Arizona Corporation Commission

**Contact Phone:**

**Nature of Complaint:**

DOCKETED

From: Linda Soto  
Sent: Monday, July 26, 2010 9:42 PM  
To: Utilities Div - Mailbox  
Subject: W-02195B-10-0148

JUL 28 2010

DOCKETED BY

*[Signature]*

RECEIVED  
2010 JUL 28 P 41 00  
ARIZONA CORPORATION COMMISSION  
TICKET CONTROL

I, Jesus Soto, as the owner of lot 14 in Bonita Creek II, wish to oppose the transfer of assets of the Bonita Creek Water Company from the Bonita Creek Land and Homeowners Association. In the interest of the water customers, I believe the water company should be a separate entity from the Property and Preservation Association. As this subject and other subjects appear to be an internal disagreement, I believe all action should be suspended until after the September annual membership meeting  
"End of Complaint"

**Utilities' Response:**

**Investigator's Comments and Disposition:**

7/28/10 Comments noted for the record and docketed. CLOSED.  
"End of Comments"

**Date Completed:** 7/28/2010

**Opinion No.** 2010 - 88195

W 02195B10-0146

## ARIZONA CORPORATION COMMISSION

### UTILITY COMPLAINT FORM

Investigator: Brad Morton

Phone: ---

Fax: ..

Priority: Respond Within Five Days

Opinion No. 2010 - 88205

Date: 7/28/2010

Complaint Description: OBA Rate Case Items - Opposed  
N/A Not Applicable

Complaint By: First: Kristy Last: Bell

Account Name: Kristy Bell

Home: (000) 000-0000

Street: J

Work:

City: Payson

CBR:

State: AZ Zip: 85541

IC:

Utility Company: Bonita Creek Land and Home Owners %Harry Vlezens

Division: Water

Contact Name:

Contact Phone: . . .

Nature of Complaint:

From: n Goulet  
Sent: Wednesday, July 28, 2010 7:17 AM  
To: Bell, Kristy; Utilities Div - Mailbox  
Subject Re: ACC Docket# W-02185B-10-0146

To Whom It may concern:

In reviewing all the documents sent in opposition of this matter I do not see the following letter of opposition in your file. Please add.

Thank you.

At 2:56 PM -0400 8/28/10, Bell, Kristy wrote:

>To whomever is in charge of this proposed transfer, I would like to  
>make note that I am extremely opposed to the transfer of assets of the  
>BCLHOA Water Company and BCC. This seems to have been initiated by a  
>small group of people in our community without the knowledge or consent  
>of the entire group. I believe that what was sent, was convoluted and  
>untrue to the rest of the homeowners involved.

>

>Kristy Bell / Homeowner

>

>Bonita Creek/Payson Az. 85541

"End of Complaint"

Utilities' Response:

W-02195B-10-0146

ARIZONA CORPORATION COMMISSION  
UTILITY COMPLAINT FORM

Investigator: Brad Morton

Phone:

Fax:

Priority: Respond Within Five Days

Opinion No. 2010 - 88208

Date: 7/28/2010

Complaint Description: O&A Rate Case Items - Opposed  
N/A Not Applicable

Complaint By: First: Clay Last: Moser

Account Name: Clay Moser

Home:

Street: I

Work:

City: Mesa

CEB:

State: AZ Zip: 85203

IE:

Utility Company: Bonita Creek Land and Home Owners %Harry Vlazens

Division: Water

Contact Name:

Contact Phone:

Nature of Complaint:

From: .....com>  
>Subject: ACC Docket # W-02195B-10-0146  
>Date: Thu, 27 May 2010 14:54:01 -0700  
>Cc: John Goulette -  
>To: mailmaster@azcc.gov

>Dear

>Arizona Corporation Commission, ACC Docket # W-02195B-10-0146 I oppose >the transfer of assets >The  
>water company should be separated from the home owners association. >I own 2 properties in Bonita Creek  
>Parcel # 30210010A & Parcel # 30210000B My 911 address is 275 W. Burnt >Point Trail

>Clay Moser

>Mesa, Az. 85203

\*End of Complaint\*

Utilities' Response:

Investigator's Comments and Disposition:

Opinion docketed  
\*End of Comments\*

Date Completed: 7/28/2010

Opinion No. 2010 - 88208